



# IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

re Patent Application of

Confirmation No.: 2374

INOUE ET AL.

Atty. Ref.: 1035-626

Serial No.

10/574 505  
11/661,209

Group: Unknown

Filed: February 27, 2007

Examiner: Unknown

For: DISPLAY ELEMENT AND DISPLAY DEVICE

\* \* \* \* \*

Commissioner for Patents  
P. O. Box 1450  
Alexandria, VA 22313-1450

Sir:

## REQUEST TO WITHDRAW HOLDING OF ABANDONMENT UNDER 37 CFR 1.495(B)(2)

The undersigned has received a Notice of Abandonment, Confirmation No. 2374, dated March 6, 2007, indicating that the application was abandoned for the following reason: "Applicant has failed to provide the full U.S. Basic National Fee by 30 months (37 CFR 1.495(b)(2))".

**The Notice of Abandonment is incorrect.** As required by 37 C.F.R. § 37 CFR 1.495(b)(2), on February 27, 2007, the national phase, based on international application PCT/JP2005/015315, was entered and the fees were paid. As proof, attached is a photocopy of the postcard receipt showing the mailroom date stamp of February 27, 2007, as well as a true and correct copy of the Transmittal that was filed on the date indicated.

Please kindly reinstate this application and return it to active status since it was inappropriately regarded as "abandoned."

In the alternative, please treat this Request as A Petition to Revive the national stage application and charge any petition fees and national stage entry fees, or any other fees necessary for continued pendency of the captioned application to the undersigned's deposit account #14-1140.

INOUE ET AL.  
Serial No. 11/661,209

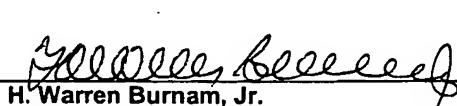
Respectfully submitted,  
**NIXON & VANDERHYE P.C.**

March 19, 2007

By: H. Warren Burnam, Jr.  
H. Warren Burnam, Jr.  
Reg. No. 29,366

HWB:lsh  
901 North Glebe Road, 11th Floor  
Arlington, VA 22203-1808  
Telephone: (703) 816-4000  
Facsimile: (703) 816-4100

FORM PTO-1390 MODIFIED	U.S. DEPARTMENT OF COMMERCE PATENT AND TRADEMARK OFFICE	ATTORNEY'S DOCKET NUMBER <b>1035-626</b>
<b>TRANSMITTAL LETTER TO THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US) CONCERNING A FILING UNDER 35 U.S.C. 371</b>		U.S. APPLICATION NO. (If known, see 37 C.F.R. 1.5) <b>Unknown</b>
INTERNATIONAL APPLICATION NO. <b>PCT/JP2005/015315</b>	INTERNATIONAL FILING DATE <b>24 August 2005</b>	PRIORITY DATE CLAIMED <b>31 August 2004</b>
TITLE OF INVENTION <b>DISPLAY ELEMENT AND DISPLAY DEVICE</b>		
APPLICANT(S) FOR DO/EO/US <b>INOUE ET AL.</b>		
<p>Applicant herewith submits to the United States Designated/Elected Office (DO/EO/US) the following items and other information:</p> <ol style="list-style-type: none"> <li><input checked="" type="checkbox"/> This is a <b>FIRST</b> submission of items concerning a submission under 35 U.S.C. 371.</li> <li><input type="checkbox"/> This is a <b>SECOND</b> or <b>SUBSEQUENT</b> submission of items concerning a submission under 35 U.S.C. 371.</li> <li><input checked="" type="checkbox"/> This is an express request to begin national examination procedures (35 U.S.C. 371(f)). The submission must include items (5), (6), (9) and (21) indicated below.</li> <li><input type="checkbox"/> The U.S. has been elected (Article 31).</li> <li>A copy of the International Application as filed (35 U.S.C. 371(c)(2)). <ul style="list-style-type: none"> <li><input checked="" type="checkbox"/> WO 2006/025234 is attached hereto (80 pages specification, claims &amp; abstract (31 claims), 15 sheets drawings).</li> <li><input checked="" type="checkbox"/> has been communicated by the International Bureau.</li> <li><input type="checkbox"/> is not required, as the application was filed in the United States Receiving Office (RO/US).</li> </ul> </li> <li><input checked="" type="checkbox"/> An English language translation of the International Application as filed (35 U.S.C. 371(c)(3)) <ul style="list-style-type: none"> <li><input checked="" type="checkbox"/> is attached hereto (161 pages specification, claims &amp; abstract (31 claims), 14 sheets drawings, 0 page Certificate of Translation).</li> <li><input type="checkbox"/> has been previously submitted under 35 U.S.C. 154(d)(4).</li> </ul> </li> <li><input type="checkbox"/> Amendments to the claims of the International Application under PCT Article 19 (35 U.S.C. 371(c)(3)) <ul style="list-style-type: none"> <li><input type="checkbox"/> are attached hereto (required only if not communicated by the International Bureau).</li> <li><input type="checkbox"/> have been communicated by the International Bureau.</li> <li><input type="checkbox"/> have not been made; however, the time limit for making such amendments has <b>NOT</b> expired.</li> <li><input type="checkbox"/> have not been made and will not be made.</li> </ul> </li> <li><input type="checkbox"/> An English language translation of the amendments to the claims under PCT Article 19 (35 U.S.C. 371(c)(3)).</li> <li>a. <input checked="" type="checkbox"/> An oath or declaration of the inventor(s) (35 U.S.C. 371(c)(4)). <ul style="list-style-type: none"> <li><input type="checkbox"/> Declaration was submitted to the International Bureau during International Phase (see copies of Declaration ( page Form PCT/RO/101 and Form PCT/IB/371 and first page of printed publication acknowledging receipt thereof attached).</li> </ul> </li> <li><input type="checkbox"/> An English language translation of the annexes of the International Preliminary Examination Report under PCT Article 36 (35 U.S.C. 371(c)(5)).</li> </ol> <p><b>Items 11 To 20 below concern document(s) or information included:</b></p> <ol style="list-style-type: none"> <li><input checked="" type="checkbox"/> An Information Disclosure Statement under 37 C.F.R. 1.97 and 1.98.</li> <li><input checked="" type="checkbox"/> An assignment document for recording. A separate cover sheet in compliance with 37 C.F.R. 3.28 and 3.31 is included.</li> <li>a. <input checked="" type="checkbox"/> A <b>FIRST</b> preliminary amendment.</li> <li><input type="checkbox"/> A <b>SECOND</b> or <b>SUBSEQUENT</b> preliminary amendment.</li> <li><input type="checkbox"/> An Application Data Sheet under 37 C.F.R. § 1.76.</li> <li><input type="checkbox"/> A substitute specification.</li> <li><input type="checkbox"/> A change of power of attorney and/or address letter.</li> <li><input type="checkbox"/> A computer-readable form of the sequence listing in accordance with PCT Rule 13ter.2 and 37 CFR 1.821-1.825.</li> <li><input type="checkbox"/> A second copy of the published international application under 35 U.S.C. 154(d)(4).</li> <li><input type="checkbox"/> A second copy of the English language translation of the international application under 35 U.S.C. 154(d)(4).</li> <li><input checked="" type="checkbox"/> Other items or information. International Search Report; Copy of Submission of Translation of International Application under 35 U.S.C. 154(D)(4)</li> </ol>		

U.S. APPLICATION NO. (If known, see 37 C.F.R. 1.5) <b>Unknown</b>		INTERNATIONAL APPLICATION NO. <b>PCT/JP2005/015315</b>		ATTORNEY'S DOCKET NUMBER <b>1035-626</b>	
<input checked="" type="checkbox"/> The following fees are submitted: <b>BASIC NATIONAL FEE (37 C.F.R. 1.492(a)(1)-(5):</b>					
21. <input checked="" type="checkbox"/> Basic national fee ..... \$300.00 (1631)/\$150.00 (2631) 22. <input checked="" type="checkbox"/> Examination Fee..... \$0 (1643/2643) ..... \$200.00 (1633)/\$100.00 (2633) 23. <input checked="" type="checkbox"/> Search Fee ..... \$0 (1640/2640) ..... \$100 (1641)/\$50 (2641) ..... \$400 (1642)/\$200 (2642) ..... \$500.00 (1632)/\$250.00 (2632)					
<b>TOTAL OF ABOVE CALCULATIONS</b>					
<input checked="" type="checkbox"/> Additional fee for specification and drawings filed in paper over 100 sheets (excluding sequence listing or computer program listing filed in an electronic medium). The fee is \$250 for each additional 50 sheets of paper or fraction thereof.					
Total Sheets	Extra Sheets	Number of each additional 50 or fraction thereof (round up to a whole number)		RATE	
184	-100	84	/50 =	1.68	\$500.00 (1681) \$250.00 (2681)
Surcharge of \$130.00 (1617)/\$65.00 (2617) for furnishing the oath or declaration later than <input type="checkbox"/> 30 months from the earliest claimed priority date (37 C.F.R. 1.492(e)).					
CLAIMS	NUMBER FILED	# EXTRA	RATE		
Total Claims	28	minus 20 =	8 X	\$50.00 (1615)/	\$25.00 (2615)
Independent Claims	1	minus 3 =	0 X	\$200.00 (1614)	\$100.00 (2614)
MULTIPLE DEPENDENT CLAIMS(S) (if applicable)			\$360.00 (1616)/\$180.00 (2616)		
Petition is hereby made to extend the current due date so as to cover the filing date of this paper and attachment(s): One Month Extension \$120.00 (1251)/\$60.00 (2251); Two Month Extensions \$450.00 (1252)/\$225.00 (2252); Three Month Extensions \$1020.00 (1253)/\$510.00 (2253); Four Month Extensions \$1590.00 (1254)/\$795.00 (2254)					
<input type="checkbox"/> Applicant claims small entity status. See 37 CFR 1.27.					
Processing fee of \$130.00 (1618), for furnishing the English Translation later than <input type="checkbox"/> 20 <input type="checkbox"/> 30 months from the earliest claimed priority date (37 C.F.R. 1.492(f)).					
<b>TOTAL NATIONAL FEE = \$ 1800.00</b>					
Fee for recording the enclosed assignment (37 C.F.R. 1.21(h)). The assignment must be accompanied by an appropriate cover sheet (37 C.F.R. 3.28, 3.31). \$40.00 (8021) per property					
+ \$ 40.00					
Fee for Petition to Revive Unintentionally Abandoned Application: \$1500.00 (1453) / \$750.00 (2453)					
<b>TOTAL FEES ENCLOSED = \$ 1840.00</b>					
Amount to be: refunded: \$  Amount to be: Charged: \$					
a. <input type="checkbox"/> A check in the amount of \$1840.00 to cover the above fees is enclosed. b. <input type="checkbox"/> Please charge my Deposit Account No. 14-1140 in the amount of \$_____ to cover the above fees. A duplicate copy of this form is enclosed. c. <input checked="" type="checkbox"/> The Commissioner is hereby authorized to charge any additional fees which may be required, or credit any overpayment to Deposit Account No. 14-1140. A <u>duplicate copy</u> of this form is enclosed. d. <input checked="" type="checkbox"/> <b>CREDIT CARD PAYMENT FORM ATTACHED.</b> e. <input checked="" type="checkbox"/> The entire content of International Application No. PCT/JP2005/015315 and any U.S. and foreign application(s) corresponding thereto, and JP 2004-253609, referred to in this application is/are hereby incorporated by reference in this application. <b>NOTE: Where an appropriate time limit under 37 C.F.R. 1.494 or 1.495 has not been met, a petition to revive (37 C.F.R. 1.137(a) or (b) must be filed and granted to restore the application to pending status.</b>					
<b>CORRESPONDENCE ADDRESS</b> Direct all correspondence to: <input checked="" type="checkbox"/> <b>Customer Number:</b> <b>23117</b> Type Customer Number here					
Telephone: (703) 816-4000 HWB:jsm					
 <b>H. Warren Burnam, Jr.</b> NAME <b>29,366</b> <b>February 27, 2007</b> REGISTRATION NUMBER Date					



**National Phase of PCT/JP2005/015315 C#/M#: 1035-626**

Serial No.: Unknown Atty: H. Warren Burnam, Jr.

Inventor/s: INOUE ET AL. Date: February 27, 2007

Title: DISPLAY ELEMENT AND DISPLAY DEVICE

National Phase Patent Appl. Transmittal Letter

161 Pages Specification, Claims & Abstract

31 Claims; 14 Sheets of Drawings (Figs. 1-16(b))

Declaration (2 Pages)

Assignment (2 Pages) Including Cover Sheet

Preliminary Amendment

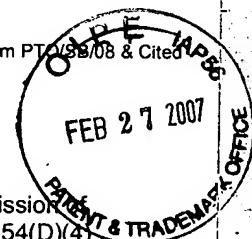
Information Disclosure Statement/Search Report(s)/Form PTO/SB/08 & Cited

Ref(s)

Form PCT/IB/308

Credit Card Payment Form (\$1840.00)

Other: Copy of WO 2006/025234; Copy of Submission  
Translation of Intern'l Application under 35 USC 154(D)(4)





## UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE  
 United States Patent and Trademark Office  
 Address: COMMISSIONER FOR PATENTS  
 R.R. BOX 1450  
 Alexandria, Virginia 22313-1450  
 www.uspto.gov

U.S. APPLICATION NUMBER NO.	FIRST NAMED APPLICANT	ATTY. DOCKET NO.
10/574,505	Iichiro Inoue	1035-626
INTERNATIONAL APPLICATION NO.		
PCT/JP05/15315		
I.A. FILING DATE		PRIORITY DATE
05/24/2005		
<b>CONFIRMATION NO. 2374</b>		
371 ABANDONMENT/TERMINATION LETTER		
 *OC000000022759307*		

Date Mailed: 03/06/2007

### NOTIFICATION OF ABANDONMENT

The United States Patent and Trademark Office in its capacity as a Designated / Elected Office (37 CFR 1.495) has made the following determination:

- Applicant has failed to provide the full U.S. Basic National Fee by 30 months (37 CFR 1.495(b)(2)).

Therefore, the above identified application failed to meet the requirements of 35 U.S.C. 371 and 37 CFR 1.495, and is ABANDONED AS TO THE UNITED STATES OF AMERICA.

PAULETTE R KIDWELL

Telephone: (703) 308-9140 EXT 216

### PART 1 - ATTORNEY/APPLICANT COPY

FORM PCT/DO/EO/909 (371 Abandonment Notice)